

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA**

June 05, 2024  
LAURA A. AUSTIN, CLERK  
BY: s/J.Vasquez  
DEPUTY CLERK

**HARRISONBURG DIVISION**

THOMAS RICHARDS

Case No. 5:24-cv-39

*Plaintiff,*

*v.*

**DEMAND FOR JURY TRIAL**

X.Corp

*Defendant*

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## COMPLAINT<sup>1</sup>

Plaintiff, Thomas Richards, brings this action under: Title II of the Civil Rights Act of 1964, the Virginia Human Rights Act, Virginia Code § 18.2-500, The Constitution of the United States, the Virginia Consumer Protection Act, as well as implicit defamation and breach of contract.

## INTRODUCTION

1. Plaintiff, Thomas Richards, is a believer in the Bible, and since the year 2000, he has used the internet to communicate with others about his beliefs. He is also a Navy veteran, direct descendant of Joseph Bridger (involved in the founding of Jamestown), married to an Ivy league educated lawyer -- the daughter of a notable physicist, and a father of 11 children. For 27 years, he has performed crucial independent research. His research is all fully documented and the information he presents is critically important in

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<sup>1</sup> This is a modified version of the complaint in the prior matter, Richards v. X Corp. 5:24-cv-00034-MFU-JCH which Judge Urbanski dismissed May 29, 2024. Judge Urbanski stated he was dismissing it because it did not have the requisite signature in accordance with Fed.R.Civ.P. 11(a). However, respectfully, as defined by local WDVA rule 7(c), the complaint did have a signature. Local WDVA rule 7(c) states, "**Signatures.** The electronic filing of a petition, pleading, motion, or other paper by an attorney who is a registered participant in this Court's CM/ECF system shall constitute the signature of that attorney under Federal Rule of Civil Procedure 11 and for all other purposes." Counsel is admitted to the WDVA, is a participant in the Court's CM/ECF system, and filed the complaint for 5:24-cv-00034 using that system. Therefore, she did comply with signature requirements of this Court. Due to this Court's erroneous dismissal, Counsel requests a refund of the \$405 fee paid for this re-filing, as it is duplicative and should not have been required.

helping stop a horrible worldwide conspiracy lead by the Vatican. JFK discussed this very thing in 1961, stating "...For we are opposed around the world by a monolithic and ruthless conspiracy that relies primarily on covert means for expanding its sphere of influence -- on infiltration...subversion...intimidation...guerrillas by night, instead of [the opposite]"<sup>2</sup> A couple of years later, JFK was killed by that conspiracy.

2. Due to the controversial nature of his information, Mr. Richards, like JFK, is at risk of harm from these criminal actors if his work is kept secret (shadowbanned). Keeping Mr. Richards' work hidden allows would-be wrongdoers to operate in darkness. But making his work public prevents such wrongdoers from being able to hide their actions. It would only bring more attention to Mr. Richards' work, and their crime would not stay hidden. This is why making Mr. Richards' posts public is crucial for his safety.

## **BACKGROUND ABOUT MR. RICHARDS' WORK**

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<sup>2</sup> John F. Kennedy, "Address: The President And The Press" (27 April 1961) - Voices of Democracy (umd.edu)- <https://voicesofdemocracy.umd.edu/john-f-kennedy-address-the-president-and-the-press-27-april-1961-speech-text/>

3. Mr. Richards (X account, @tlthe5th), a former Catholic, is doing the most important work in the world today as he exposes worldwide corruption and conspiracy, particularly the epidemic of child rape in the Catholic institution. Exhibits of some of his “shadowbanned” tweets are included. Much like John the Baptist in the New Testament of the Bible was shining light on the bad acts of the king, **Mr. Richards is shining light on far more horrible acts being committed all throughout the world by an evil criminal entity that has gotten away with it for years and has become emboldened to become even worse. *No one but Mr. Richards has had the boldness to try to stop this Beast.*** (And Mr. Richards credits God with giving him all the boldness and ability he has).
4. All of the statements Mr. Richards makes are documented and indisputable, such as recent statements by the Pope, made public in many articles. Yet no one except Mr. Richards ties these events together; the media refuses to cover it, and with all the social media censorship, the information remains mainly hidden from everyone. For example, the Pope recently stated that child rapists are "children of God" “who deserve love”.<sup>3</sup> Coupled with their epidemic of concealed child rape, *this should be all the news is talking*

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<sup>3</sup> Pope Francis calls sex abusers 'children of God' (nypost.com), <https://nypost.com/2023/05/11/pope-francis-calls-sex-abusers-children-of-god/>.

*about. It should be far bigger than the “#MeToo” movement. It should be trending on X. Yet no one is talking about it at all.* Mr. Richards continues to post about this, **but the posts continue to be shadowbanned by Big Social Media. The social media silence on the topic is why the topic is still hidden.**

5. Mr. Richards has reported in great detail that the Vatican engages in covering up and hiding the crimes of evil pedophile priests.<sup>4</sup> The Catholic church has no intention of punishing these criminals. Rather, *the Pope faults the people who want to expose their crimes and then insists he has immunity for all of the horrible things he has helped cover up.*<sup>5</sup> He even removed the diplomatic immunity for Catholic clergy who were investigating it!<sup>6</sup> As another recent example, in Washington State, the attorney general brought a criminal action against these child rapist priests, but then the Seattle Archdiocese refused to respond to the subpoena, even asking the state to drop the charges.<sup>7</sup> The Pope has also specifically requested that social media

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<sup>4</sup> E.g. [Activists chide pope over handling of sex abuse and cover-ups \(aol.com\)](https://www.aol.com/news/activists-chide-pope-over-handling-142935595.html); <https://www.aol.com/news/activists-chide-pope-over-handling-142935595.html>.

<sup>5</sup> [Pope seeks immunity in Australian court over notorious paedophile priest \(theage.com.au\)](https://www.theage.com.au/national/pope-seeks-immunity-in-australian-court-over-notorious-paedophile-priest-20240404-p5fhib.html); <https://www.theage.com.au/national/pope-seeks-immunity-in-australian-court-over-notorious-paedophile-priest-20240404-p5fhib.html>.

<sup>6</sup> E.g. [Bishop Strickland reacts to list naming priests credibly accused of sexual abuse | cbs19.tv](https://www.cbs19.tv/article/news/bishop-strickland-reacts-to-list-naming-priests-credibly-accused-of-sexual-abuse/501-b93a4129-d9b7-4363-bb99-b9ddcd481448), <https://www.cbs19.tv/article/news/bishop-strickland-reacts-to-list-naming-priests-credibly-accused-of-sexual-abuse/501-b93a4129-d9b7-4363-bb99-b9ddcd481448>; [Pope Removes Bishop Strickland Following Vatican Investigation - Today's Catholic \(todayscatholic.org\)](https://www.cbs19.tv/article/news/bishop-strickland-reacts-to-list-naming-priests-credibly-accused-of-sexual-abuse/501-b93a4129-d9b7-4363-bb99-b9ddcd481448); <https://todayscatholic.org/pope-removes-bishop-strickland-following-vatican-investigation/>.

<sup>7</sup> Church is stonewalling sex abuse investigation, according to Washington state AG | News | avpress.com, [https://www.avpress.com/news/church-is-stonewalling-sex-abuse-investigation-according-to-washington-state-ag/article\\_7b1fcf08-0f42-11ef-ad60-53d4e28a6c9f.html](https://www.avpress.com/news/church-is-stonewalling-sex-abuse-investigation-according-to-washington-state-ag/article_7b1fcf08-0f42-11ef-ad60-53d4e28a6c9f.html).

and major websites like Google and YouTube *keep quiet about the evil actions of the organization, claiming that it is evil to expose the truth about the crimes of the Vatican.*<sup>8</sup>

## **WILLFUL COVERUP BY SOCIAL MEDIA**

6. Tragically, the heads of these Big Social Media and Big Internet organizations have agreed to the censorship that the Pope has requested, which harms the safety of hundreds of millions of children throughout the world.<sup>9</sup> The child rapists *should* all be arrested and punished. Instead their crimes are hidden, and they keep committing these atrocities. If the epidemic of child rape and the Vatican cover-up were accurately reported, parents would get their children away from Catholic priests. By keeping the epidemic secret, more and worsening destruction of lives is allowed to occur.

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<sup>8</sup> Pope Francis condemns 'media disinformation' - BBC News <https://www.bbc.com/news/world-europe-38244274>.

<sup>9</sup> See [The Global Catholic Population | Pew Research Center](https://www.pewresearch.org/religion/2013/02/13/the-global-catholic-population/), <https://www.pewresearch.org/religion/2013/02/13/the-global-catholic-population/>.

7. As an example of collusion with the Pope, Eric Schmidt, CEO of Alphabet (the holding company of Google and YouTube) *promised to help the Pope keep their evil acts from being exposed*.<sup>10</sup>
8. Mr. Richards has been doing research on these issues and others for 27 years, along with presenting incredible, in-depth Bible studies. Because of all of this, he has been horribly censored. Anyone who cares about truth and free speech should do all they can to protect Mr. Richards' free speech, freedom of religion, and civil rights, so that the critically important information he is trying to expose can be heard before it is too late.
9. Mr. Richards' recent research has also uncovered a link between Pope Francis and Naziism and the attempt to start WWIII; Pope Francis was trained by the trainee of a Nazi: 1) **Ivan Buchko** was a Ukranian Greek Catholic hierarch who organized the escape of the entire Waffen-SS Galitsia Division to South and North America at the end of WWII.<sup>11</sup> 2) **Stefan Czml** was a bishop of the Ukranian Greek Catholic Church, a clandestine church in Ukraine during the Soviet era. He was ordained a priest on October 14, 1945, by **Ivan Buchko**.<sup>12</sup> 3) On December 13, 1969, Jorge Mario Bergoglio

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<sup>10</sup> Google's Eric Schmidt Meets With Pope Francis at the Vatican (nbcnews.com), <https://www.nbcnews.com/tech/tech-news/google-s-eric-schmidt-meets-pope-francis-vatican-n497616>.

<sup>11</sup> [Ivan Buchko - Wikipedia, https://en.wikipedia.org/wiki/Ivan\\_Buchko](https://en.wikipedia.org/wiki/Ivan_Buchko); Atkinson, Rodney; Dorich, William; Spalton, Edward. And Into The Fire: Fascist Elements in Post War Europe and the Development of the EU.

<sup>12</sup> [Stefan Czml - Wikipedia, https://en.wikipedia.org/wiki/Stefan\\_Czml](https://en.wikipedia.org/wiki/Stefan_Czml) - see Education section.

(now **Pope Francis**) was ordained as a Jesuit priest. His spiritual father and tutor was **Stefan Czmil**, a Ukranian Greek Catholic missionary who emigrated to Argentina.<sup>13</sup> **Put this information together and the conclusion is obvious—there is a strong positive connection between Pope Francis and Nazis in his early years, leading to his current pro-Nazi stance.**

## **MR. RICHARDS' RELIGIOUS BELIEFS MANDATE THAT HE USE SOCIAL MEDIA TO REPORT HIS RESEARCH**

10. Because two-thirds of the world's population is currently on the internet,<sup>14</sup> (with a similar percentage on social media<sup>15</sup>) and people often use the internet as their sole means of accessing important information,<sup>16</sup> there is generally no other way for Mr. Richards to reach people except through the internet. Based upon his belief in the Bible and everything he has

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<sup>13</sup> "There the young Jorge Mario Bergoglio, later to become Pope Francis, rose early to serve [Divine Liturgy](#) for him." Paul Vallely, *Pope Francis: Untying the Knots*, Bloomsbury, 2013.

<sup>14</sup> [Internet usage worldwide – statistics & facts | Statista](#); <https://www.statista.com/topics/1145/internet-usage-worldwide/#topicOverview>

<sup>15</sup> [Internet and social media users in the world 2024 | Statista](#); <https://www.statista.com/statistics/617136/digital-population-worldwide/#:~:text=Worldwide%20digital%20population%202024&text=As%20of%20January%202024%2C%20there,population%2C%20were%20social%20media%20users.>

<sup>16</sup> [What the world does online in 2024 — DataReportal – Global Digital Insights](#); <https://datareportal.com/reports/digital-2024-deep-dive-what-we-do-online>, stating that "Ongoing research from GWI reveals that "finding information" remains the primary reason for going online around the world, with more than 6 in 10 working-age internet users citing this as a primary motivation for using the internet."



experienced; Mr. Richards is compelled by God to share the knowledge and information God has given him with all the world. The only feasible way for him to preach the gospel to the entire world, as commanded, is through the internet. In addition, he needs to use the websites that most people use so that he can reach the largest number of people. And it has been this way for almost 25 years. Like several similar online forums, X habitually denies him the accommodations, advantages, services and privileges which it provides to others.

11. Mr. Richards' religious beliefs require him to present Bible information and information about world events to whomever he can. As the Bible says in 1 Corinthians 9:16 "... I am compelled to preach. Woe unto me if I do not preach the gospel!"

12. Preaching on the internet is also far more efficient than in person, due to the vastly larger number of people that can be reached with each post. Also the Bible commands to "Go into all the world and preach the gospel to all creation." (Mark 16:15) In addition, attending protests in person runs a significant risk of being injured or killed. Mr. Richards is reasonably extremely concerned for his safety if he were to preach and protest at in-person events. He considers this not just for himself, but because of his large family who depends upon him for leadership, support, and guidance. In

addition, he considers his important role as a preacher of the gospel, a role that he needs to be alive in order to engage in.

13. Taken together, for multiple reasons, Mr. Richards' religious beliefs compel him to use Big Social Media to speak about his understanding of the Bible and world events.

### **SOCIAL MEDIA AND ONLINE PLATFORMS HAVE CENSORED MR. RICHARDS FOR DECADES**

14. Mr. Richards began using X around 2009, and his account is @tlthe5th. He also became a paid subscriber of X Premium as soon as it became available in November 2022. Sometime later, he upgraded to the higher-tier Premium+. He did this in reliance on the promise that his posts would be promoted by X to more viewers if he paid for Premium, and even more if he paid for Premium+. <sup>17</sup> He has a collection of documentation of X's discrimination against him over the years (along with that done by other major websites). A sampling of documentation of how they have censored him is available on his website. <sup>18</sup> He knows that X has done -- and continues to do -- something internally to keep his posts from being viewed even by people who have signed up to receive alerts from his page. He used to have

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<sup>17</sup> [About X Premium](https://help.x.com/en/using-x/x-premium), <https://help.x.com/en/using-x/x-premium>

<sup>18</sup> <https://spirituallysmart.com/censorship.html>

hundreds to thousands of views on his X posts, but gradually that trickled down to often less than a few views per post.

15. It is clear this decrease is not organic but is due to *intentional* and *targeted* acts by X (external tech websites that perform analysis to detect shadowbanning have stated that his posts have been shadowbanned). Even X's AI, Grok, states that Mr. Richards' account has been shadowbanned.<sup>19</sup>
16. Common sense and statistics prove the same thing -- because Mr. Richards was organically having an exponential increase in viewers which suddenly fell off a cliff -- with nothing that has changed on his end, it is clear that X has done something in its internal systems to prevent his page from being viewed by his subscribers.
17. To be clear, he sells no products and never has. He makes no money off his X page. He has tried to use his X page purely to speak to others about what he knows about the Bible and other crucial information about evil acts being perpetuated-- primarily by the Vatican-- through the lens of his biblical beliefs, and to hopefully make contact with others who are interested in or share his beliefs. The Twitter post and graph at the top of the SpirituallySmart.com censorship page shows this decrease in detail, and

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<sup>19</sup> See exhibits entitled, Grok AI 1, Grok AI 2, and Grok AI 3.

several screenshots of the webpage which are exhibits to this complaint also illustrate it.<sup>20</sup>

18. Some of what X has done to Mr. Richards has been in secret (where he can observe the effects, and it is clear that there is no organic way that views of the posts on his page would naturally sharply decrease on their own, when it was on a rapid upward trend in views). But some of what X has done has been open and outward – on occasion, X has also put his posts behind blocks and warnings claiming them to be disturbing to viewers when they are not; they are highly informative, engaging, and educational—the exact sort of content that is supposed to receive protection, not blocking. X also banned him in appearing in any searches on X for quite some time. Upon information and belief, this occurred for many months or perhaps years.

19. Upon information and belief, there is a connection between censorship Mr. Richards has experienced on X and censorship he has experienced on YouTube. His views on both websites decreased in tandem. The video, *Nazi Germany – A Creation of Vatican and the Jesuits*,<sup>21</sup> is his most popular video, but YouTube censors it for false reasons, *even while allowing*

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<sup>20</sup> Tommy Richards on X: "It stinks! But please see how Google/Youtube and the entire internet shadowbanned me for my work connecting the Roman Catholic cult to the Nazis: This is a graph of visits to my website over the years. My information has been meticulously scrubbed and censored from the internet.... <https://t.co/zGiW9pSZjF>" / X (twitter.com), <https://twitter.com/tlthe5th/status/1717225145008349275>

<sup>21</sup> [Nazi Germany - A Creation of the Vatican and Jesuits \(CENSORED by YOUTUBE/GOOGLE\) - YouTube](https://www.youtube.com/watch?v=e9zBX4gt0eo&t=17s), <https://www.youtube.com/watch?v=e9zBX4gt0eo&t=17s>

*duplicated versions of his original video to be stolen and shown by others on their pages **without** a similar warning.*<sup>22</sup> The timing of this YouTube censorship, as alluded to above, coincides with X censorship which is notable-- this sudden drastic decrease in views happened immediately after Mr. Richards' most popular video received major attention (being cited in a mainstream news article which stated that the Vatican was opposed to it.)<sup>23</sup>

20. The article was about the Vatican's creation of a YouTube channel and states, "Type "Vatican" into YouTube's search engine and... the second [hit on YouTube] argues that 'Nazi Germany was a creation of the Vatican and the Jesuits'. Now the Vatican has the means to fight back."<sup>24</sup> Because his video dramatically *decreased* in views shortly after this article appeared in 2009, it is clear that YouTube censored the video.

21. Publicity like this from The Independent would naturally only cause an *increase* to the traffic to Mr. Richards' video, especially when it was already on an upward trend in popularity. Yet ultimately the opposite happened, the upward trend, *suddenly reversed* and changed to an almost complete

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<sup>22</sup> E.g. [Nazi Germany - A Creation of the Vatican and Jesuits \(youtube.com\)](https://www.youtube.com/watch?v=7Un4SP8Z4rc),  
<https://www.youtube.com/watch?v=7Un4SP8Z4rc>

<sup>23</sup> [Vatican launches YouTube channel | The Independent | The Independent](https://www.independent.co.uk/news/world/europe/vatican-launches-youtube-channel-1514238.html),  
<https://www.independent.co.uk/news/world/europe/vatican-launches-youtube-channel-1514238.html>

<sup>24</sup> While YouTube is not a defendant in this action, its behavior is being illustrated to explain the global censorship Mr. Richards has experienced due to his religious beliefs.

cessation of visits to his website and YouTube page. This is impossible to be organic.

22. Because of the statement in the article and ensuing events, coupled with articles such as the one about Eric Schmidt, CEO of Alphabet, it is clear that YouTube engaged in illegal religious discrimination against him because YouTube favored the Vatican's viewpoint over his and censored his video in response to the article. (This can be seen in the attached screenshots Censorship 3, and Censorship 5). Upon information and belief, there are individuals with prominent roles who are involved in conspiracies (such as was spoken about by JFK) that exert control over YouTube as well as X.
23. Also, if one carefully views the other attached screenshots (Censorship 1-Censorship 9), one can see that the Vatican admitted it wanted to ban any speech that spoke out against it. The screenshots show that the Pope was requesting big tech entities to prevent free speech that said anything negative about the Vatican, such as the epidemic of child sex abuse by priests and of the Vatican covering up that abuse. These screenshots then also show the collaboration between the Vatican and the big tech entities. Eric Schmidt, head of Alphabet (which owns Google) plainly states "I want to work with you to make these points...we will make it happen" (see the attached screenshot Censorship 7) indicating that he will work with the Vatican to

cancel online content that the Vatican does not approve of (*such as exposing the sex abuse*).

24. Another image within the included exhibits shows Eric Schmidt meeting with the Pope, with them smiling broadly at each other while shaking hands. And then the link between X's censorship and Google/YouTube's censorship can be seen, among other places, in the detailed information obtained through FOIA requests in another recent complaint involving Big Social Media censorship.<sup>25</sup> There are articles and photos about Mr. Musk meeting the Pope.<sup>26</sup> After this meeting, Mr. Richards' noticed his censorship on X became worse.

25. Not only has X prohibited Mr. Richards from sharing information, it has gone a step further and implicitly slandered him by causing it to appear that his page (and viewpoint) is unpopular and therefore presenting a false impression that his work must not be important. This impression that his page is unpopular is due to the lack of engagement by those who follow his page – when in actuality, X *has internally prevented Mr. Richards' followers*

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<sup>25</sup> [RFK Jr. Wins Deferred Injunction in Vax Social Media Suit \(1\) \(bloomberglaw.com\)](https://news.bloomberglaw.com/litigation/rfk-jr-wins-deferred-injunction-in-anti-vax-social-media-suit), <https://news.bloomberglaw.com/litigation/rfk-jr-wins-deferred-injunction-in-anti-vax-social-media-suit>; [Bloomberg Law](https://www.bloomberglaw.com/public/desktop/document/KennedyetalvBidenetalDocketNo323cv00381WDLamMar242023CourtDocket/1?doc_id=X5U91VUV3IH8CM9PCJFATSG3B6L), [https://www.bloomberglaw.com/public/desktop/document/KennedyetalvBidenetalDocketNo323cv00381WDLamMar242023CourtDocket/1?doc\\_id=X5U91VUV3IH8CM9PCJFATSG3B6L](https://www.bloomberglaw.com/public/desktop/document/KennedyetalvBidenetalDocketNo323cv00381WDLamMar242023CourtDocket/1?doc_id=X5U91VUV3IH8CM9PCJFATSG3B6L)

<sup>26</sup> [Elon Musk shares rare photo of himself with 4 older sons \(today.com\)](https://www.today.com/parents/dads/elon-musk-sons-photo-rcna36465), <https://www.today.com/parents/dads/elon-musk-sons-photo-rcna36465>

*from even seeing his page. So what appears to be low engagement is not that at all, but only X's internal censorship (shadowbanning) of his page.*

26. The U.S. House of Representatives has discussed that intentional censorship has been occurring, on X and other social media cites *based upon the viewpoint* of the person making the post.<sup>27</sup> In addition, a major nonprofit organization has filed a class action lawsuit due to social media viewpoint-based censorship.<sup>28</sup> *Here, because Mr. Richards' page is dedicated to speaking about his religious beliefs and because his religious beliefs also require him to speak out, **this censorship is religious discrimination**—it prohibits him from having equal access to X which is a public accommodation. And the secretive way Mr. Richards is being censored is far worse than an ordinary free speech violation because it makes it look (falsely) like people are not interested in his information. This therefore becomes intentional libel as well.*

27. All of X's allegations against Mr. Richards when it blocks his posts have been false. He has done nothing to violate their terms, so their blocks have

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<sup>27</sup> [The Cover Up: Big Tech, the Swamp, and Mainstream Media Coordinated to Censor Americans' Free Speech - United States House Committee on Oversight and Accountability; The Cover Up: Big Tech, the Swamp, and Mainstream Media Coordinated to Censor Americans' Free Speech - United States House Committee on Oversight and Accountability, https://oversight.house.gov/release/the-cover-up-big-tech-the-swamp-and-mainstream-media-coordinated-to-censor-americans-free-speech-%EF%BF%BC/](https://oversight.house.gov/release/the-cover-up-big-tech-the-swamp-and-mainstream-media-coordinated-to-censor-americans-free-speech-%EF%BF%BC/)

<sup>28</sup> [RFK Jr. Wins Deferred Injunction in Vax Social Media Suit \(1\) \(bloomberglaw.com\), https://news.bloomberglaw.com/litigation/rfk-jr-wins-deferred-injunction-in-anti-vax-social-media-suit; Bloomberg Law, https://www.bloomberglaw.com/public/desktop/document/KennedyetalvBidenetalDocketNo323cv00381W DLaMar242023CourtDocket/1?doc\\_id=X5U91VUV3IH8CM9PCJFATSG3B6L](https://news.bloomberglaw.com/litigation/rfk-jr-wins-deferred-injunction-in-anti-vax-social-media-suit;)



been invalid, nor have they given him any notice that he violated their terms. They clearly prefer to censor him in secret because they are terrified of the truth his posts present-- because if people were to actually see Mr. Richards' posts, the sharp, incisive content would cause people all over the world to wake up and see the evil all around us and then to all decide to fight against that evil. And the people doing these evil acts -- the Vatican and others involved in the conspiracy -- do not want that to happen; they want to keep operating in the shadows.

28. Upon information and belief, X is involved in this conspiracy, and continues to remove/censor Mr. Richards' posts and prevent him from having normal access to a public accommodation due to his religious beliefs and his powerful reporting. He has never advocated any type of violence against anyone, nor posted any inappropriate content, nor any other thing that X says it does not allow. X has therefore violated its own terms of use with respect to his posts and done so due to Mr. Richards' religion. As a note, *any impingement* on free speech/freedom of the press is a violation of the Bill of Rights, but in Mr. Richards' case, the content is more than just viewpoint based, non-religious speech, *it is religiously based*. It is therefore quite clear that X's crippling Mr. Richards' posts and his page is discrimination due to

his religion, which impedes Mr. Richards' God-given and Constitutionally protected freedom of thought and freedom of speech.

**THE USA IS RUINED – TRUE FREEDOM OF THOUGHT  
IS OUR ONLY HOPE**

29. Due to the abundant evil occurring in the U.S. government, even X's AI, Grok, agreed that Mr. Richards raised a valid point that there is no due process anymore in this country.<sup>29</sup> He stated this in light of the events following the JFK assassination (which Mr. Richards also stated represented a coup d'état): "The JFK assassination proved to the world a person could be convicted of a crime without ever appearing in court. Thereby, nullifying everything about the US Constitution and freedoms we're supposedly guaranteed in this country. Lee Harvey Oswald was a VICTIM. Just like us all."<sup>30</sup>

30. After the assassination of JFK, perpetuated by infiltrators in his administration, the United States is simply gone-- the whole country is now a lie. One just needs to think about it-- *there was a coup and someone inside*

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<sup>29</sup> See attached exhibit, "No due process".

<sup>30</sup> <https://twitter.com/tlthe5th/status/1790013327986356555>

*the government took over; someone else was found guilty without a trial.*

Even undersigned counsel's 8<sup>th</sup> grade teacher taught the whole class that the JFK assassination official story had to be false – she simply required the students to look at the evidence, such as where the bullets entered and exited his body. It was clear that no bullet could have come from the Texas Schoolbook Depository, the way the bullet holes were, and that the Warren Commission had intentionally lied.

31. So who and what took over when JFK died? The entire government is now actively involved or complicit. For decades it has been impossible to be elected president without significant corporate funding. So anyone not part of the whole evil conspiracy has not had a chance. Trump, Hillary Clinton, etc. are all part of it. Trump and Hillary were even friends, with their daughters said to be close friends.<sup>31</sup>

32. Hillary Clinton was an important part of the government when the Federal Government committed atrocities at Waco in 1993. Upon information and belief, Hillary bought the rights to the Waco documentary, "Waco: The Rules of Engagement." That movie proves that the U.S. government murdered all the Branch Davidians at Waco, and that they even killed a

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<sup>31</sup> See, e.g. [When Hillary and Donald Were Friends - The New York Times \(nytimes.com\)](https://www.nytimes.com/2016/11/06/magazine/when-hillary-and-donald-were-friends.html), <https://www.nytimes.com/2016/11/06/magazine/when-hillary-and-donald-were-friends.html>. [Donald Trump Articles of Note \(spirituallysmart.com\)](https://spirituallysmart.com/trump.html), <https://spirituallysmart.com/trump.html>.

couple of their fellow government agents (to try to make it look like the Branch Davidians had killed them). Upon information and belief, Hillary then had the movie deleted from YouTube, with every mention of Waco removed from every one of Mr. Richards' videos.

33. Note that one of Mr. Richards' videos has had the sound removed by YouTube in the section where the government agent was explaining that the siege at Waco was directly ordered by President Clinton. In that silenced section, it stated that President Clinton was the one that had ordered the Branch Davidians' residence to be burned up (with all of the children and people inside).<sup>32</sup>

## **FREEDOM OF THOUGHT IS THE ONLY WAY TO FIGHT THIS EVIL**

34. Queen Elizabeth I revoked a thought censorship law in the late sixteenth century,<sup>33</sup> because, according to Sir Francis Bacon, she did "not [like] to make windows into men's souls and secret thoughts".<sup>34</sup>

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<sup>32</sup> <https://www.youtube.com/watch?v=ql4R1g3YT-s&lc=UgzLPxAfPnHw2lEuR8p4AaABAq>, see timestamp - 24:33-22:50

<sup>33</sup> [https://en.m.wikipedia.org/wiki/Queen\\_Elizabeth\\_I](https://en.m.wikipedia.org/wiki/Queen_Elizabeth_I)

<sup>34</sup> [https://en.m.wikipedia.org/wiki/Freedom\\_of\\_thought#cite\\_note-9](https://en.m.wikipedia.org/wiki/Freedom_of_thought#cite_note-9)

Freedom of thought is the precursor and progenitor of—and thus is closely linked to—other liberties, including freedom of religion, freedom of speech, and freedom of expression.<sup>35</sup> The ability to think freely and critically is also what makes us human.

35. "**Every person** attempts to have a cognitive proficiency by developing knowledge, concepts, theories and assessing them in the given environment. This cognitive proficiency gives a sense of contentment and replaces the feeling of helplessness. Apart from bringing ease to the ego of a person, new knowledge and ideas also bring a hope for the future.”<sup>36</sup>

36. And as Mr. Richards stated: "They're trying to enslave our minds by attacking freedom of thought."

37. But the oppressive leadership of this world headed by the Pope (who calls himself the “Patriarch of the West”)<sup>37</sup> wants to control the thoughts of the entire world so they can control all of humanity. The current status of the internet, where everything is completely controlled by the government -- through government-controlled Big Social Media -- is unconscionable.

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<sup>35</sup> [https://en.m.wikipedia.org/wiki/Freedom\\_of\\_thought#cite\\_note-2](https://en.m.wikipedia.org/wiki/Freedom_of_thought#cite_note-2)

<sup>36</sup> [Freedom of thought - Wikipedia](https://en.wikipedia.org/wiki/Freedom_of_thought#cite_note-1), [https://en.wikipedia.org/wiki/Freedom\\_of\\_thought#cite\\_note-1](https://en.wikipedia.org/wiki/Freedom_of_thought#cite_note-1).

<sup>37</sup> [Pope Francis reinstates papal title 'Patriarch of the West' in Pontifical Yearbook | Catholic News Agency](https://www.catholicnewsagency.com/news/257360/pope-francis-reinstates-papal-title-patriarch-of-the-west-in-pontifical-yearbook), <https://www.catholicnewsagency.com/news/257360/pope-francis-reinstates-papal-title-patriarch-of-the-west-in-pontifical-yearbook>

38. Most other media websites used to have comment sections at the end of articles for public commentary and discussion. But now those comment sections have been removed. Instead those articles just direct everyone to the Big Social Media entities, ostensibly, to discuss the issue – but then this puts everyone under control of these huge Big Social Media companies, where it's been publicly stated that they have been involved in government directed censorship.<sup>38</sup> **By bringing everyone into tightly controlled Big Social Media, the conspiracy can completely block speech such as Mr. Richards' that exposes the world's evil.**

**UPON INFORMATION AND BELIEF, MR. RICHARDS'  
WORK HAS BEEN CENSORED BY DIRECTION FROM  
GOVERNMENT**

39. As demonstrated by the attached screenshots, and as explained above, as well as documented in the link provided in footnote 18, X could only be acting as it does, by operating in cahoots with the Vatican and the U.S. government along with its unconstitutional 47 U.S.C. § 230(c)(2). There is

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<sup>38</sup> Note 25, also [The Cover Up: Big Tech, the Swamp, and Mainstream Media Coordinated to Censor Americans' Free Speech - United States House Committee on Oversight and Accountability](https://oversight.house.gov/release/the-cover-up-big-tech-the-swamp-and-mainstream-media-coordinated-to-censor-americans-free-speech-%EF%BF%BC/), <https://oversight.house.gov/release/the-cover-up-big-tech-the-swamp-and-mainstream-media-coordinated-to-censor-americans-free-speech-%EF%BF%BC/>

no other explanation for Big Social Media, Google, and YouTube, all having censored Mr. Richards' independent work shortly after a mainstream news article was published about his website. In addition, the more he posts about the censorship, the more X shadowbans him. Whereas his posts used to be available in searches on X, they no longer are.<sup>39</sup>

40. In greater detail, while X is the subject of the current complaint, the other entities have done the same to Mr. Richards. They all shut down his organic reach in 2009 when the publication *The Independent* mentioned him. Mr. Richards' website's views were growing exponentially, which made him too big a threat, so he was silenced. This can be proven by screenshots of the article which discusses the Vatican's disdain for Mr. Richards' YouTube page, and the subsequent decrease in traffic to his website. Again, while these entities are not defendants in the current matter, they are mentioned to show the background of how Mr. Richards has been censored.

41. Note that the censorship has been occurring to Mr. Richards on X since Mr. Richards joined, around 2009, also under the former Twitter leadership (Jack Dorsey, etc), though the censorship has continued to increase. And as stated above, evidence demonstrates that the government is in collusion with X (as

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<sup>39</sup> As of time of writing, May, 27, 2024, after sending the prior version of this complaint and the request for TRO to Adam Mehes, Senior Director of Legal at X, the search removals seem to have been repaired. Within a few hours of emailing him those documents, the search ban -- though not the other more significant aspects of the shadowban -- appears to have been resolved.

well as other Big Social Media and Big Internet) such that this becomes government action, not just private action.<sup>40</sup>

42. No one can find Mr. Richards' X page, or any of his posts in a search. And he has never been told why he was shadowbanned.<sup>41</sup> This violates Mr. Musk's statement on December 8, 2022 in which he guaranteed that users would be able to see *why* they are shadowbanned. Mr. Richards continued to use X only because of that promise, reasonably relying on it.<sup>42</sup>

43. Moreover, X has deleted/hidden 2100+ of Mr. Richards posts from *his own archive* in violation of their own terms of service. This can be proven because his account displays the total number of posts, but then when Mr. Richards downloaded the archive, there were 2100 fewer than stated (see attachments).<sup>43</sup> But the Twitter terms promise that although "posts more than a week old may fail to display in timelines... **Old posts are never lost**, but cannot always be displayed."<sup>44</sup>

44. However, X's statement is **false** with respect to Mr. Richards because the archive is where all old posts are supposed to be stored and saved by X, *yet*

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<sup>40</sup> Refer to note 25.

<sup>41</sup> As explained in note 39, that search removal is not appearing as of May 27, 2024.

<sup>42</sup> [https://twitter.com/elonmusk/status/1601042125130371072?ref\\_src=twsrc%5Etfw%7Ctwcamp%5Etweet%7Ctwterm%5E1601042125130371072%7Ctwgr%5E16517898b649ab8a043cc0f057beb5a5fbb6a296%7Ctwcon%5Es1\\_&ref\\_url=https%3A%2F%2Fwww.pcmag.com%2Fnews%2Ftwitter-to-start-telling-users-when-their-account-has-been-shadowbanned](https://twitter.com/elonmusk/status/1601042125130371072?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweet%7Ctwterm%5E1601042125130371072%7Ctwgr%5E16517898b649ab8a043cc0f057beb5a5fbb6a296%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Fwww.pcmag.com%2Fnews%2Ftwitter-to-start-telling-users-when-their-account-has-been-shadowbanned).

<sup>43</sup> See attached – 2100 missing tweets, parts 1,2,3.

<sup>44</sup> <https://help.twitter.com/en/using-x/missing-posts#:~:text=posts%20more%20than%20a%20week,but%20cannot%20always%20be%20displayed>.



*they are not there. **His material has thus been stolen by X.*** And the withheld posts are not random, but involve certain topics—Mr. Richards has found that certain search terms have do not appear in his archive, even though he has talked about these things quite a bit (terms such as “coward”, ”satanist”, “satanism”, and “satanists”)<sup>45</sup>—X has obviously deleted these posts. X even blocked the 19 replies to his pinned tweet for some time, and recently unblocked it two days after the undersigned counsel wrote an email to X’s Senior Director of Legal about this censorship.

45. In addition, Mr. Richards can see on his website analytics that Facebook keeps visiting the links on his site and then shadowbans them after looking at them. There is similar censoring behavior from the various social media and internet companies. **All of these entities are treasonous criminals for blocking the truth Mr. Richards is trying to expose as well as impeding Mr. Richards’ hard work.**

## **PARTIES**

46. Thomas Richards is a resident of Virginia.
47. X Corp. is a Nevada Corporation with its principal office address at 1355 Market St. Ste. 900 San Francisco, CA 94103.

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<sup>45</sup> [https://twitter.com/tithe5th/status/1791217344875761926?t=7HVTrUdPWbucrH\\_PF5uS1g&s=19](https://twitter.com/tithe5th/status/1791217344875761926?t=7HVTrUdPWbucrH_PF5uS1g&s=19)

## JURISDICTION AND VENUE

48. The United States District Court for the Western District of Virginia has subject matter jurisdiction over this action pursuant to Title 28 U.S.C. § 1332 (Diversity) as well as 28 U.S.C. § 1331 (Federal Question). The parties are citizens of different States. The amount in controversy exceeds the sum of \$75,000, exclusive of interest and costs. Constitutional questions and Title II of the Civil Rights Act of 1964 are also two of the bases for this action.
49. X Corp. performs significant business in Virginia and is subject to general personal jurisdiction in Virginia. *See, e.g., Witt v. Reynolds Metals Co.*, 240 Va. 452, 397 S.E.2d 873 (1990). X Corp. is also subject to specific personal jurisdiction in Virginia pursuant to Virginia's long-arm statute, § 8.01-328.1(A)(1), (A)(3) and (A)(4), as well as the Due Process Clause of the United States Constitution. X Corp. engages in a persistent, continuous, and ongoing course of conduct in Virginia, with approximately 770,000 X users in the Western District of Virginia.<sup>46</sup> X Corp. has minimum contacts with Virginia such that the exercise of personal jurisdiction over it comports with

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<sup>46</sup> [Western District of Virginia | About The District \(justice.gov\)](https://www.justice.gov/usao-wdva/about-district), <https://www.justice.gov/usao-wdva/about-district> (indicating there are 2.2 million people in the WDVA); [X/Twitter: Global audience 2024 | Statista](https://www.statista.com/statistics/242606/number-of-active-twitter-users-in-selected-countries/), <https://www.statista.com/statistics/242606/number-of-active-twitter-users-in-selected-countries/> ([demonstrating](#) that 106 million Americans were using X in 2023- extrapolating from that number, approximately 1/3 of the US population uses X. Therefore, assuming an average usership in Virginia, approximately 1/3 of the population in the WDVA uses X, which is approximately 770 million people).

traditional notions of fair play and substantial justice and is consistent with the Due Process Clause of the United States Constitution.

50. Mr. Richards' claims directly arise from and relate to X Corp's blocking his posts, **blocking the reach of his posts**,<sup>47</sup> and blocking his posts and X user name from showing up in a search on X, among other things (collectively called "shadowbanning") defaming his reputation in Virginia (by making it appear -- as a result of the artificially low number of people viewing his posts, leading to lower engagement-- no one is interested in his work, and it therefore must be unimportant). Virginia is therefore where Mr. Richards was denied his Civil Rights, Constitutional Rights, and among other things, suffered injury to his reputation. *Calder v. Jones*, 465 U.S. 783 (1984); *Keeton v. Hustler Magazine, Inc.*, 465 U.S. 770 (1984). (declaratory and injunctive relief).

### STATEMENT OF MATERIAL FACTS

51. Paragraphs 1-50 are incorporated by reference.

52. Mr. Richards is a Bible scholar and an expert independent researcher on world events. People have said he is like an encyclopedia. Others have

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<sup>47</sup> As of the date of writing, May 27, 2024, it appears this type of shadowbanning – blocking posts from being viewed-- remains, while the others (different types of search blocking) have been eliminated. This repair occurred a few hours after this document and the associated TRO were emailed to Adam Mehes, Senior Director of Legal at X. However, it is unclear if X will reinstate the search blocks as well.

remarked on the genius of his research. (He gives credit to God for all of his abilities.)

53. Mr. Richards is an extremely prolific writer on X. He has approximately 53,100 posts, with greatly increasing frequency in the last two years.

54. X has “shadowbanned” Mr. Richards’ posts so that no one sees them.

55. Mr. Musk, the owner of X, promised on December 8, 2022 that X users would be told whey they had been shadowbanned and given the opportunity to contest the shadowbanning (thereby promising a sort of “due process” on the app).<sup>48</sup>

56. Mr. Richards has never been told he was shadowbanned, and for a long time, did not even realize he was shadowbanned. His posts are visible to him, so he did not realize that others were not seeing his posts or replies.

57. 2100+ of Mr. Richards’ posts have been removed from Mr. Richards’ archive on X. X’s terms promise that “posts more than a week old may fail to display in timelines... **Old posts are never lost**, but cannot always be displayed.”<sup>49</sup> Therefore, X has stolen his copyrighted posts.

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<sup>48</sup>[https://twitter.com/elon/status/1601042125130371072?ref\\_src=twsrc%5Etfw%7Ctwcamp%5Etweetemb%7Ctwterm%5E1601042125130371072%7Ctwgr%5E16517898b649ab8a043cc0f057beb5a5fbb6a296%7Ctwcon%5Es1\\_&ref\\_url=https%3A%2F%2F; Twitter to Tell Users When Their Accounts Have Been 'Shadow Banned' | PCMag](https://twitter.com/elon/status/1601042125130371072?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetemb%7Ctwterm%5E1601042125130371072%7Ctwgr%5E16517898b649ab8a043cc0f057beb5a5fbb6a296%7Ctwcon%5Es1_&ref_url=https%3A%2F%2F; Twitter to Tell Users When Their Accounts Have Been 'Shadow Banned' | PCMag); <https://www.pcmag.com/news/twitter-to-start-telling-users-when-their-account-has-been-shadowbanned>.

<sup>49</sup> <https://help.twitter.com/en/using-x/missing-posts#:~:text=posts%20more%20than%20a%20week,but%20cannot%20always%20be%20displayed>.

58. X's own AI tool, Grok, admits that Mr. Richards' posts have been shadowbanned on X.<sup>50</sup>
59. Mr. Richards has had his reputation and business harmed by the shadowbanning by X. Were he not banned, due to the extreme interest people have in his materials when they see them, and the exponential growth on his website and YouTube channel before he started getting censored, he would be a public figure by now.
60. Without the shadowbanning, he would have a much greater level of respect by people who know him, and he would be able to build a media station/website and/or successfully obtain a public office, due to the deserved popularity he would have. Therefore, both his personal and monetary harm is quite significant due to the shadowbanning.
61. Upon information and belief, X chooses "winners" -- who it decides to promote, intentionally making these individuals to become extremely popular on X by suggesting their posts to others and causing them to "trend". Upon information and belief, the decisions about who should "trend" and be these winners is a decision made in collaboration with the

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<sup>50</sup> See attached – grok due process 1,2,3.

U.S. Government, and moreover, the U.S. government has compelled X to make these decisions.<sup>51</sup>

62. X is carrying on a government objective and function, *see Lebron v.*

*National Railroad Passenger Corp.* 513 U.S. 374 (1995)

63. X does not shadowban people who adhere to no religion or different

religious beliefs than Mr. Richards. His belief and knowledge of the Bible

differs from anyone else on X, and he is the only one shadowbanned to this

degree.

64. As examples of his unique Bible beliefs, he is the only person who as a

matter of his religious beliefs: opposes Catholicism and the Vatican; opposes

all police; favors gun ownership freedom; favors letting most people out of

jail who are currently incarcerated; supports the principles of “black lives

matter”; opposes homosexuality and transgenderism; takes the Bible as

literally and absolutely true in its original languages; is a Bible scholar and

prolific writer on biblical topics; has had supernatural experiences with God

that lead to a deliverance from anxiety and horrible problems in an instant –

27 years ago; opposes all U.S. politicians – Trump, Biden, RFK Jr.; supports

Russia, China, Palestine, South Korea; supports Communism and Stalin as

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<sup>51</sup> See [The Cover Up: Big Tech, the Swamp, and Mainstream Media Coordinated to Censor Americans' Free Speech - United States House Committee on Oversight and Accountability](https://oversight.house.gov/release/the-cover-up-big-tech-the-swamp-and-mainstream-media-coordinated-to-censor-americans-free-speech-%EF%BF%BC/), <https://oversight.house.gov/release/the-cover-up-big-tech-the-swamp-and-mainstream-media-coordinated-to-censor-americans-free-speech-%EF%BF%BC/>.

opposed to capitalism - which is allied with Naziism and the Vatican;  
opposes the U.S. military; opposes all U.S. political parties; considers it his  
obligation to devote all of his energy to exposing the evil deeds of the  
Vatican and other related evil entities; and many other things that  
differentiate him from any other person professing to be a Christian today.

**He is unique and has a right to share his viewpoint freely and be free  
from religious discrimination.**

65. Mr. Richards noticed the shadowbanning on X began increasing when he  
began speaking out against Donald Trump.

66. X's terms of service do not permit X to delete any of a user's posts from its  
archive ("What's yours is yours").<sup>52</sup>

67. X's terms state that the account holder holds a copyright to their posts.<sup>53</sup>

Therefore, X is not permitted to twist the meaning of their posts.

68. X's terms promise that Premium and Premium+ subscribers (paid users with  
the blue check mark) are given preference such that their replies to other  
people's posts are promoted.<sup>54</sup>

### **CLAIMS FOR RELIEF**

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<sup>52</sup> <https://x.com/en/tos>.

<sup>53</sup> <https://x.com/en/tos>.

<sup>54</sup> [About X Premium](#), <https://help.x.com/en/using-x/x-premium>, "Premium: Includes all Basic features plus...larger reply prioritization..."

### **COUNT I - Title II of the Civil Rights Act of 1964**

69. Paragraphs 1-68 are incorporated by reference.

70. Title II of the Civil Rights Act of 1964 prohibits discrimination in places of public accommodation. In *Mejico v Alba Web Design*, 515 F. Supp. 3d 424 (W.D. Va. 2021), the WDVA held that a website with no brick and mortar location is a “public accommodation”. Therefore, under Title II of the Civil Rights Act of 1964, a website such as X is also a “public accommodation” and as such cannot discriminate on the basis of religion. Here, Mr. Richards has clearly been discriminated against based upon his religious beliefs, as explained above, and discovery of X’s records will demonstrate this.

71. Also, Count VII, Breach of Contract, below, especially paragraphs 140-143, explains in greater detail that Mr. Richards has been censored in violation of X’s own terms of service, while the Vatican has been *not censored, despite the Vatican actually violating X’s terms*. This too is prima facie proof of discrimination against Mr. Richards based upon his religious beliefs.

72. The Civil Rights Act of 1964 authorizes injunctive relief and attorney’s fees.

73. Plaintiff therefore demands that his account be given no discriminatory negative treatment by X. He needs to be given the same level of promotion by X as those accounts which receive the highest level of promotion (such as Jackson Hinkle, Alex Jones, and others). He pays for the Premium+ service,



and therefore is entitled to exact the same promotion benefits that other promoted accounts receive.

74. Mr. Richards' attorney's fees are estimated to be no less than \$250,000.<sup>55</sup>

75. That fee will increase as more time is spent on the case.

## **COUNT II – Virginia Human Rights Act**

76. Paragraphs 1-75 are incorporated by reference.

77. The VA Human Rights Act ("VAHR") prohibits discrimination on the basis of religion for any public accommodation. The censorship of Mr. Richards' account violates Va. Code § 2.2-3904 which states:

- a. "Place of public accommodation" means all places or businesses offering or holding out to the general public goods, services, privileges, facilities, advantages, or accommodations. B. It is an unlawful discriminatory practice for any person, including the owner, lessee, proprietor, manager, superintendent, agent, or employee of any place of public accommodation, to refuse, withhold from, or deny any individual, or to attempt to refuse, withhold from, or deny any individual, directly or indirectly, any of the accommodations, advantages, facilities, services, or privileges made available in any

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<sup>55</sup> This is based upon an hourly billing rate as well as speaking to other counsel who do this sort of work. Another attorney whose name will be provided upon request, stated he would require a \$250,000 bond to even begin work on the matter.

place of public accommodation, or to segregate or discriminate against any such person in the use thereof... on the basis of ... religion...”

78. In *Mejico v. Alba Web Designs, LLC.*, the WDVA, held that a website with no physical presence is a “place of public accommodation.”

79. So too, here, X -- which has discriminated against Mr. Richards on the basis of his religious beliefs -- has violated established Virginia law by prohibiting him from enjoying the “accommodations, advantages...services, and privileges made available” to the public on the basis of his religion.

80. The VAHR (§ 2.2-3908) authorizes compensatory damages, punitive damages, and attorney’s fees.

81. Damages for this violation are estimated to be approximately \$250,000 for attorney’s fees (depending upon how much time Counsel ends up spending on the case) plus \$50,000,000 for the damage Mr. Richards’ has experienced to his reputation and potential business as a result of his account being shadowbanned. In addition, he makes a claim for punitive damages of \$20,000,000. He also requests injunctive relief such that X is no longer allowed to discriminate against Mr. Richards’ account in any way.

### **COUNT III - VA Code section § 18.2-500**

82. Paragraphs 1-81 are incorporated by reference.

83. VA Code § 18.2-499 is a criminal code provision which prohibits

“Combinations to injure others in their reputation, trade, business or profession; rights of employees.” And states:

- a. “any two or more persons who combine, associate, agree, mutually undertake or concert together for the purpose of (i) willfully and maliciously injuring another in his reputation, trade, business or profession by any means whatever... shall be jointly and severally guilty of a Class 1 misdemeanor. Such punishment shall be in addition to any civil relief recoverable under § 18.2-500.”

Undersigned Counsel has contacted the VA Attorney General’s Office about the violation of the criminal code.

84. VA Code § 18.2-500 is a derivative of the criminal code. It states:

- a. “A. Any person who shall be injured in his reputation, trade, business or profession by reason of a violation of § 18.2-499, may sue therefor and recover three-fold the damages by him sustained, and the costs of suit, including a reasonable fee to plaintiff’s counsel, and without limiting the generality of the term, “damages” shall include loss of profits.”

85. Here, clearly more than one person at X was involved in whatever was done to shadowban Mr. Richards’ account and remove the 2100+ posts from his

archive. These two or more individuals intentionally undertook to do this shadowbanning which, in turn, injured Mr. Richards in his Bible ministry work as well as greatly damaging his reputation among the community in Virginia. By shadowbanning his account, X made it appear that people are not interested in what Mr. Richards has to say. This makes it look like what he is saying is not important. Thus, the shadowbanning has greatly damaged Mr. Richards' reputation.

86. Here, at least two people at X, and upon information and belief, others outside of X, such as in government and at other social media, have conspired together to shadowban Mr. Richards' X page.

87. As explained above, Mr. Richards' reputation and business has been harmed by this shadowbanning.

88. As this statute authorizes treble damages and attorney's fees, Plaintiff requests \$250,000 in attorney's fees and \$150,000,000 in compensatory damages.

#### **COUNT IV – US Constitution – Amendment 1 & 42 U.S.C. § 1983**

89. Paragraphs 1-88 are incorporated by reference.

90. The First Amendment of the Constitution, which is a part of the Bill of Rights, forbids Congress to make any law to restrict freedom of speech,

religion or the press. Under 42 USC § 1983, a private actor such as X can be held liable for a constitutional violation when it willfully joins with a state official to violate the constitutional rights of another.

91. Further, a private party may be deemed a state actor for purposes of 42 U.S.C. § 1983 liability under any one of four different circumstances: (1) when the state has coerced the private actor to commit an act that would be unconstitutional if done by the state; (2) when the state has sought to evade a clear constitutional duty through delegation to a private actor; (3) when the state has delegated a traditionally and exclusively public function to a private actor; or (4) when the state has committed an unconstitutional act in the course of enforcing a right of a private citizen *Mentavlos v. Anderson*, 249 F.3d 301; *Rice v. Scholastic Book Fairs, Inc.*, 579 F. Supp. 3d 786; *Andrews v. Federal Home Loan Bank*, 998 F.2d 214.

92. Here, X has fulfilled both circumstance 1 and 3 (with the fulfilling of any one being sufficient to find state action). With respect to circumstance 1, the state has coerced X, a private actor, to commit an act that would be unconstitutional if done by the state. The government has openly encouraged and attempted to persuade X to censor various sorts of protected speech.<sup>56</sup>

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<sup>56</sup> [The Cover Up: Big Tech, the Swamp, and Mainstream Media Coordinated to Censor Americans' Free Speech - United States House Committee on Oversight and Accountability](https://oversight.house.gov/release/the-cover-up-big-tech-the-swamp-and-mainstream-media-coordinated-to-censor-americans-free-speech-%EF%BF%BC/), <https://oversight.house.gov/release/the-cover-up-big-tech-the-swamp-and-mainstream-media-coordinated-to-censor-americans-free-speech-%EF%BF%BC/>.

Therefore, it is an admitted fact that the US government has directed X to censor posts that they find objectionable.<sup>57</sup> In the current matter, there is strong evidence that indicates similar censorship has happened with respect to Mr. Richards' account being shadowbanned. See included exhibits about shadowbanning and censorship. By censoring Mr. Richards' account, X has violated his free speech rights enshrined in the First Amendment of the Constitution.

93. In addition, courts have held private entities liable for constitutional violations in three similar situations: (1) where a private entity has acted with the help of, or in concert with, state officials, (2) where the state provided significant encouragement, either covert or overt, for the action taken by a private entity, and (3) where the state delegated its authority to a private entity *Rice v. Scholastic Book Fairs, Inc.*, 579 F. Supp. 3d 786.
94. Upon information and belief, the government has colluded with and directed X to censor Mr. Richards' posts by shadowbanning his posts in several ways. They made his account such that they cannot be searched for on the website<sup>58</sup> and such that his replies, rather than being promoted (as

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<sup>57</sup> *Id.*, and see n. 25.

<sup>58</sup> As expressed in note 39, that search removal is not appearing as of May 27, 2024 after X litigation counsel was provided this court filing.

promised under its terms of service, as a Premium+ subscriber),<sup>59</sup> are invisible to everyone but him. In addition, they more generally reduce visibility of his posts so that almost no one sees them on their feed, including his followers. By doing this, X has violated the first amendment. It is particularly egregious because Mr. Richards' posts are tightly associated with his religious beliefs. Therefore, X must be enjoined from shadowbanning his X account and X posts in any way and should also be compelled to pay monetary damages as the court deems proper.

95. To violate circumstance 3, a traditionally and exclusively public function has been delegated to a private actor, X. Here, X has assumed the role of providing a virtual public square. Such virtual square is available to anyone with an internet connection, and in *Packingham v North Carolina*, 582 U.S. 98 (2017), the Supreme Court ruled that even a sex offender cannot be banned from the internet. It has thereby been deemed a public accommodation by the Supreme Court, and thus has been found to have adopted what is traditionally an exclusive public function. That courts since the date of that ruling have often decided not to follow the obvious result of that ruling, due to complicated legal wranglings is of no consequence.

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<sup>59</sup> [About X Premium](https://help.x.com/en/using-x/x-premium), <https://help.x.com/en/using-x/x-premium>, "Premium: Includes all Basic features plus...larger reply prioritization..."

96. *Packingham* makes clear that the internet is just as public if not more so than a public park or town square. And the Big Social Media platform X is a microcosm of the internet which contains essentially *all aspects of the internet*, all of the functions that the *Packingham* Court stated were so essential that no one could be excluded from it. In addition, through § 230(c)(2) of the Communications Decency Act,<sup>60</sup> Congress has delegated the right of censorship to the same private actor that it designated to have the function of a virtual public square. (Further analysis of § 230(c)(2) will follow below.)

97. Not only did the *Packingham* court find that no one can be denied access to the internet, it also implicitly found it to be more public than a brick and mortar public square because registered sex offenders who have been released from prison are still prohibited from living within a certain distance of a school and can be banned from certain locations. Yet they *cannot* be banned from the internet. Therefore, it is plain that such a huge website as X, with as many subscribers as the entire population of the United States cannot block or shadowban posts due to their content. To do so is unconstitutional censorship by a private actor which has been delegated a state function.

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<sup>60</sup> 47 U.S. Code § 230.



98. Mr. Richards' freedom of speech and freedom of the press have also been limited because he has been unable to engage in protected speech on issues crucial to everyone in this country and in the world. He has been shadowbanned and censored in his speech about the crimes of the Vatican, and the worldwide conspiracy, that JFK spoke about before he was assassinated.<sup>61</sup>

99. In addition, any refutation that discusses 47 USC § 230(c)(2) falls flat.

**Sub-argument - 47 U.S. Code § 230(c)(2) is Unconstitutional as  
Pertaining to X and Should Carry No Weight**

100. **First as a matter of basic principles, it is impossible that a website which has user base as large as the entire United States (X) or half the world (Facebook/Meta) can be allowed to censor speech because that eviscerates the entire point of the First Amendment of the US Constitution, which is freedom of thought, freedom of conscience, and freedom of speech. If such freedoms are removed on these massive platforms, then no free speech remains. The details below do not matter. However, undersigned counsel goes through the analysis below to play by the rules.**

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<sup>61</sup> John F. Kennedy, "Address: The President And The Press" (27 April 1961) - Voices of Democracy (umd.edu)- <https://voicesofdemocracy.umd.edu/john-f-kennedy-address-the-president-and-the-press-27-april-1961-speech-text/>

101. If 47 U.S.C. § 230(c)(2) is interpreted to pertain to a website such as X, that interpretation is clearly unconstitutional because that would mean that Congress has in fact *directed* a large corporation with no actual content or speech itself -- which merely acts as a *conduit* between people -- to control the speech of all of X's account holders -- 330 million people ( as large as the entire population of the United states). For the website Meta/Facebook with 3 billion accounts (close to half of the population of the world) and 75% of the USA's population,<sup>62</sup> the situation is even worse.
102. Section 47 U.S.C. § 230(c)(2)(A), provides, "No provider or user of an interactive computer service shall be held liable on account of -- any action voluntarily taken in good faith to restrict access to or availability of material that the provider or user considers to be obscene, lewd, lascivious, filthy, excessively violent, harassing, or otherwise objectionable, whether or not such material is constitutionally protected." In other words, **Congress plainly passed a law which has been interpreted to direct these websites with an absolutely massive user base, *and as much or more power than any government*, to act as a gateway to free speech, despite being the modern public square.**<sup>63</sup> These private entities thus would have a monopoly on free

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<sup>62</sup> [U.S.: Facebook users 2019-2028 | Statista](https://www.statista.com/statistics/408971/number-of-us-facebook-users/), <https://www.statista.com/statistics/408971/number-of-us-facebook-users/>

<sup>63</sup> *Packingham v. North Carolina*, 582 U.S. 98 (2017).

speech and can go ahead and censor material that is “constitutionally protected”. **This is a completely unconstitutional and illogical result. Thus by the logical principle of *reductio ad absurdum*, the starting premise (that they are permitted to censor users’ content) *has to be incorrect*.**

103. Otherwise, with 47 U.S.C. § 230(c)(2), Congress has passed a law which stops every American's free speech and every American's freedom of the press! It is also more deeply illogical and self-contradictory; the beginning of 47 U.S.C. § 230 states that it is intended to promote free speech and a multitude of opportunities. It also notes that the internet has flourished amidst a minimum of government regulation.

104. The legislative history of 47 U.S.C. §230(c)(2) *makes clear that its purpose was to give parents greater control over keeping their children away from inappropriate materials on the internet, and like 230(a) and 230(b) stated, never was intended to empower some private group to censor everyone’s speech at all!*<sup>64</sup> What this has spun into, where all 47 U.S.C. § 230 has really

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<sup>64</sup> <https://crsreports.congress.gov/product/pdf/R/R46751> p 5-6 “Many of those who spoke in favor of this amendment [to the Communications Decency Act] on the floor of the House argued that it would allow private parties, in the form of parents and internet service providers, to regulate offensive content, rather than the FCC. In particular, then-Representative Wyden emphasized that “parents and families are better suited to guard the portals of cyberspace and protect our children than our Government bureaucrats,” and argued against federal censorship of the Internet. The conference report echoed these concerns: This section provides “Good Samaritan” protections from civil liability for providers or users of an interactive computer service for actions to restrict or to enable restriction of access to objectionable online material. One of the specific purposes of this section is to overrule *Stratton-Oakmont v. Prodigy* and any other similar decisions which have treated such providers and users as publishers or speakers of content that is not their own because they have restricted access to objectionable material. The conferees believe that such decisions create serious

done is to lead to mass censorship and the removal of freedom of thought is simply unconscionable. It needs to be reigned in immediately by someone with the authority to do so if there is to be any hope for the freedoms this country was said to be based upon. *This is an emergency because due to this censorship, the most important information in the world – which is only being shared by Mr. Richards – is being censored.*

105. If 47 U.S.C. § 230(c)(2) were correct, then the *publisher* could only be the individual who wrote the post. Therefore, Congress has created a law which as applied to Big Social Media platforms is highly problematic. It directs the website which is not a publisher to censor someone else's speech. Coupling that with the government direction for censorship,<sup>65</sup> Congress has indisputably violated the First Amendment with 47 U.S.C. § 230(c)(2). Also, X plainly states that the content is all owned by the account holder, not X, this proves X is not the "publisher" for if X were the "publisher" X would own the content and not vice versa. *X's own Terms of Service prove that X does not consider itself a publisher.* As such, this demonstrates even more that the First Amendment has been violated by

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obstacles to the important federal policy of empowering parents to determine the content of communications their children receive through interactive computer services."

<sup>65</sup> [The Cover Up: Big Tech, the Swamp, and Mainstream Media Coordinated to Censor Americans' Free Speech - United States House Committee on Oversight and Accountability](https://oversight.house.gov/release/the-cover-up-big-tech-the-swamp-and-mainstream-media-coordinated-to-censor-americans-free-speech-%EF%BF%BC/), <https://oversight.house.gov/release/the-cover-up-big-tech-the-swamp-and-mainstream-media-coordinated-to-censor-americans-free-speech-%EF%BF%BC/>.

allowing 47 U.S.C. § 230(c)(2) to be construed as to permit censoring the internet, because it is calling parties who are not publishers, publishers, and in so doing, Congress thereby limits the speech of the actual *publisher* of the information: an American individual.

106. Judges and members of congress all take vows to uphold the Constitution.

Therefore, every member of government and every judge who has allowed 47 U.S.C. § 230(c)(2) to be interpreted to mean that vast social media networks with a monopoly on public discussion can ban the public's speech on their platforms have violated the Constitution and committed treason (in the common meaning of the word). This is *exactly the kind of behavior the Bill of Rights was intended to prevent*. No large website or other conduit with no content of its own can ever be considered to have any free speech rights of its own. This is a completely tortured reading of who free speech and freedom of the press apply to.

107. The modern analog of the press, is actually the modern social media account holder, who now has their own virtual press. Hardly anyone reads print newspapers anymore. A *social media website* is not the press, but *the account holder is the press*. That account holder, enabled by the internet, can easily “print” any sort of content they choose at any time. The only limits that can be permissibly placed on this content by government (through a law such

as 47 U.S.C. § 230(c)(2)) are the obvious limits that already exist on free speech— such as obscenity or something which causes an immediate harm (yelling “fire” in a crowded theater). Mr. Richards has never engaged in any behavior of that sort online, and no one has ever alleged that he has.

108. Through its review of 47 U.S.C. § 230(c)(2), this court should take advantage of the opportunity to rule with his conscience, in favor of the U.S. (and human) right to free speech and freedom of the press which as explained throughout this filing would be a significant benefit to U.S. discourse. 47 U.S.C. § 230(c)(2) must no longer be permitted to be used as an excuse to stop the very freedom of speech that is a necessary precursor to anything positive happening to this country.

109. It is incorrect that a website used by hundreds of millions or even billions of people is a publisher or executes an editorial function. It is impossible for it to handle such a task, and that was the whole purpose of 47 U.S.C. § 230, to limit liability for ISPs and large websites so the internet could remain a place of free speech. The publisher is only the individual who puts their content on the website, and the liability removal rules demonstrate this. If X removes a post, it is not being an “editor” because everyone knows X has no content of its own and *no one legitimately ever attributes the post content to X*. When it removes a post, X is merely being *an oppressive censorer*. To say otherwise is an

incorrect and twisted reading of 47 U.S.C. § 230(c)(2), which was enacted long before social media existed, and applying it to such enormous social media websites is unconstitutional. All content on X is that of the individual with their individual *virtual presses* who have been solely responsible for building up and using the app/website. In addition, X is being unjustly enriched due to all the ad revenue it takes in despite oppressing its users and violating its own terms of service.

110. And to say, “Well, people can just go somewhere else if they don’t like X’s terms” is just not true. There is no other place for free speech anymore except on the internet. People who protest on the streets are often killed, so that is no longer a safe option (and certainly is not an equivalent option, with its much smaller reach). And websites with a much smaller user base are not comparables for a website with a massive user base, like X.

111. Any court that continues to hold that 47 U.S.C. § 230(c)(2) carries any weight is violating its oath to uphold the Constitution. And if the Bill of Rights is not being upheld, then the entire US and the freedom it claims to offer has become an unredeemable lie and should simply be dissolved. According to the preamble, it is now time for the United States and its Constitution to be abolished “...all men are endowed by their Creator, with certain unalienable rights, that among these are life, *liberty*, and the pursuit of

happiness...*whenever any form of government becomes destructive of these ends, it is **the right** of the people to alter or to abolish it, and to institute new government*, laying its foundation on such principles..." (emphasis added).

112. Based upon what has happened to this country, one example being that there is no freedom to speak up against US and world events in the modern public square, then this government has failed its basic purpose, and even its founding document says the same. The Supreme Court has stated that the internet is "the principal source[] for knowing current events, checking ads for employment, speaking and listening in the modern public square, and otherwise exploring the vast realms of human thought and knowledge."

*Packingham v. North Carolina*, 582 U.S. 98 (2017).

113. Seeing as the number of people on X is as large as the entire US population, and the number of people on Meta is as large as almost half *the world's population*, it is obvious that censorship on these platforms is *no less harmful* than government impingement on freedom of speech. Arguably, it's much worse. Because of the ease of censorship on a computer versus in person, this allows for a level control that government never had before.

114. Every lawyer, and even any successful member of a college debate team, knows that one can make an argument for *anything* but that does not mean that every argument is correct. So here, it is profoundly obvious that censoring Big



Social Media is exactly the same as removing freedom of speech in this country. While this complaint and associated rule 65 motion endeavors to follow standard legal procedure in making its argument, in truth, this is just because undersigned Counsel will play the legal game according to its rules. In a just USA, this entire argument would need to be no longer than one page because **all principles of justice make it clear that if Big Social Media can be censored, then no free speech remains in this country.**

115. Why does it matter if the entities censoring are those hired by one of the few richest men in the world (who happen to be unelected) or are individuals officially working for the government? All are part of the world's leadership. So I will play the legal game and argue for why this fits into a First Amendment exception. And I will refer to the statutes, go through the prongs of a Rule 65 analysis and use the other legal tools involving discrimination. But in a just USA, *none of these arguments would be needed because the truth is obvious.*

116. Further analysis of 47 U.S.C. § 230(c)(2) explains the ramifications of this horribly applied statute. Without § 230 social media would not be censoring at all, because they would be held liable for doing so. Thus any social media entity that did censor would have been put out of business. Without the current faulty interpretation of 47 U.S.C. § 230(c)(2), market forces would have

removed internet censorship. Therefore, *but for the unconstitutional 47 U.S.C. § 230(c)(2) there would be no social media censorship.*

117. This is why any contractual terms of service allowing for censorship by X are void as a matter of public policy—as they were the result of initial faulty reasoning—a wrong interpretation of § 230(c)(2). Therefore, in addition to not accepting § 230(c)(2) as having any import, neither do the censoring terms of service carry any weight. These all violate not only the constitution but the moral right on which any valid legal system is based, that a human has the central right of freedom of thought and freedom of speech. Anything that goes against that is an evil system that all good people have a moral duty to oppose, just as one has the duty to oppose murder, rape, and any other crime that would bother a healthy conscience.

**COUNT V - Violation of Virginia Consumer Protection Act - Virginia Code §§ 59.1-196 through 59.1-207**

118. Paragraphs 1-117 are incorporated by reference.

119. The Plaintiff re-alleges and incorporates by reference the information and allegations 1-114. Defendants are now, and were at all relevant times mentioned herein, a "supplier" of "goods" or "services," and engaged in "consumer transactions," as those terms are defined in § 59.1-198 of the

VCPA, by advertising, offering, and providing X Premium and X Premium + to consumers who live in Virginia.

120. The Virginia Consumer Protection Act prohibits “Misrepresenting that goods or services have certain qualities, characteristics, ingredients, uses, or benefits”. § 59.1-200(5).

121. According to the Restatement (2D) of Contracts, a misrepresentation is “an assertion that is not in accord with the facts.” § 159

122. Plaintiff pays \$16 per month for Premium + and has been paying for this service at this tier or the lower \$8 monthly tier since approximately November 2022.

123. The Defendant misrepresented that Premium + would cause Plaintiff’s replies to X users posts to be “promoted”.

124. In actuality, Plaintiff’s replies are all hidden (shadowbanned) such that no one can see them except for him.

125. The Plaintiff further alleges that not only was there misrepresentation, but *actual fraud* because the Defendant stated a falsehood when it stated that Plaintiff’s posts would be boosted if he paid the monthly fee for the Premium+ service.

126. Defendant also stated a falsehood when Musk stated on December 8, 2022, that users would be informed when they were shadowbanned and that they would be given due process to contest the decision.<sup>66</sup>

127. Defendant fraudulently misrepresented the X Premium + service in two ways, both with respect to the ability to contest shadowbanning and with respect to the claim that replies to posts would be boosted.

128. According to § 59.1-204(A) of the VCPA, treble damages are proper when the violation, as here, was willful.

129. In addition, § 59.1-204 of the VCPA authorizes attorney's fees for a prevailing plaintiff. The amount of attorney's fees is unknown at this time because it will depend on how much time Plaintiff's counsel spends on the case, but as of now, they are expected to be at least \$250,000.

## **VI. Defamation by Implication/ Negative Inference**

130. Paragraphs 1-129 are incorporated by reference.

131. X's shadowbanning of Mr. Richards' account constitutes defamation by implication.

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<sup>66</sup> See note 48.

132. By shadowbanning his account, X drastically reduces the number of people who see Mr. Richards' posts. This leads to greatly reduced engagement with his posts. This creates an impression that people are not interested in his material.

133. Those who see the low engagement with his posts do not realize that his low engagement is solely due to him being shadowbanned.

134. Before he was shadowbanned by Google, YouTube, and social media entities such as X, he had such a rapid increase in viewership and interaction with his material that he received a greater volume of contacts from people than he could possibly respond to.<sup>67</sup> Due to the censorship, this viewership has decreased to only a handful of views per day.

135. In addition, X Corp. has engaged in altering Mr. Richards's posts and links<sup>68</sup> as well as separating posts from the replies they pertain to. Both of these actions violate X's terms and also give a false impression about Mr. Richards. For example, when he made a post that was highly critical of Alex Jones, X removed the reply he attached to that thread which made it appear that he was promoting Alex Jones. X's terms indicate "What's yours is yours".<sup>69</sup> They certainly do not have permission to alter the meaning of Mr. Richards' posts.

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<sup>67</sup> <https://spirituallysmart.com/censorship.html>

<sup>68</sup> See exhibit, Twitter changing links.

<sup>69</sup> <https://x.com/en/tos>.

136. Mr. Richards has suffered presumed damages, actual damages and special damages, including, but not limited to, insult, pain, embarrassment, humiliation, mental suffering, injury to his reputation, loss of potential business and income, career damage, lost future earnings, costs and other out-of-pocket expenses, in a sum to be determined by the Jury, but not less than \$50,000,000.00.

## **COUNT VII – BREACH OF CONTRACT**

137. Paragraphs 1-135 are incorporated by reference.

### **1. Shadowbanning posts**

#### **a. Contradictory promises**

138. X promised to advise someone if they were being shadowbanned.<sup>70</sup>

Simultaneously, X promises that it does not shadowban: “Does X shadow ban? Let’s discuss this one upfront. Simply put, we don’t shadow ban! Ever... Check out our company blog post for more details.”<sup>71</sup> It is impossible for both of these statements to be true.

139. In addition, Mr. Richards can clearly see that his posts are not being seen by his followers, and that the number of followers who see his posts has greatly

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<sup>70</sup> See note 48.

<sup>71</sup> [Debunking X myths](https://help.x.com/en/using-x/debunking-twitter-myths), <https://help.x.com/en/using-x/debunking-twitter-myths>.

*decreased*. Further, as explained above, websites that perform analytics, as well as X's own AI "grok" prove that Mr. Richards' account is indeed shadowbanned.

140. Taken together, it appears that Mr. Richards is the only one experiencing such shadowbanning, but as a paying member of X premium+, X has breached its contract with Mr. Richards.

### **1b. double standard and discrimination**

141. X also violates X's own rules by allowing the Pope or Vatican to have any presence on X. In accordance with X's own rules, every post that promotes an entity that has been proven *to be hiding a network of child rape is required to be **banned***. The terms state "Child Sexual Exploitation: We have zero tolerance for child sexual exploitation on X."<sup>72</sup> and "Violent & Hateful Entities: You can't affiliate with or promote the activities of violent and hateful entities."<sup>73</sup>

142. Therefore, X promises to ban "child sexual exploitation" as well as the activities of "violent and hateful entities." There is nothing more hateful than an epidemic of hidden child rape, and there is no entity responsible for more of this than the Vatican and its Pope -- with the endless attempts to hide their

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<sup>72</sup> [The X rules: safety, privacy, authenticity, and more](https://help.x.com/en/rules-and-policies/x-rules), <https://help.x.com/en/rules-and-policies/x-rules>.

<sup>73</sup> [The X rules: safety, privacy, authenticity, and more](https://help.x.com/en/rules-and-policies/x-rules), <https://help.x.com/en/rules-and-policies/x-rules>.

crimes and avoid any consequences.<sup>74</sup> In addition, most plainly, the Pope has referred to child rapists as “children of God” “who deserve love” so it’s clear he supports child rapists.<sup>75</sup>

143. Thus, by X’s own terms, any promotion of the Pope or the Vatican should be prohibited on X.

144. Taken together (and this also speaks to the religious discrimination mentioned in claim 1), Mr. Richards has been shadowbanned *in breach of X’s own terms*. Yet, in stark contradiction, the Vatican -- whose evil works Mr. Richards speaks about consistently – has been *not banned in violation of X’s own rules*. This shows the discrimination on X and further shows that Mr. Richards is being specifically targeted for censorship, as proven by the screenshots discussed above and attached to this complaint.

145. Even if 47 U.S.C. § 230(c)(2) were not unconstitutional, 47 U.S.C. § 230(c)(2) only insulates for acts taken “in good faith”. The fact that X has

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<sup>74</sup> *E.g.* [Activists chide pope over handling of sex abuse and cover-ups \(aol.com\)](https://www.aol.com/news/activists-chide-pope-over-handling-142935595.html); <https://www.aol.com/news/activists-chide-pope-over-handling-142935595.html>; [Pope seeks immunity in Australian court over notorious paedophile priest \(theage.com.au\)](https://www.theage.com.au/national/pope-seeks-immunity-in-australian-court-over-notorious-paedophile-priest-20240404-p5fhib.html); <https://www.theage.com.au/national/pope-seeks-immunity-in-australian-court-over-notorious-paedophile-priest-20240404-p5fhib.html>; [SNAP v. the Pope, et al. | Center for Constitutional Rights \(ccrjustice.org\)](https://ccrjustice.org/home/what-we-do/our-cases/snap-v-pope-et-all), <https://ccrjustice.org/home/what-we-do/our-cases/snap-v-pope-et-all>; [After PA Grand Jury Report, Survivors Renew Demand For Federal Investigation Into Church Sexual Violence And Cover-Up | Center for Constitutional Rights \(ccrjustice.org\)](https://ccrjustice.org/home/press-center/press-releases/after-pa-grand-jury-report-survivors-renew-demand-federal), <https://ccrjustice.org/home/press-center/press-releases/after-pa-grand-jury-report-survivors-renew-demand-federal>.

<sup>75</sup> Pope Francis calls sex abusers 'children of God' (nypost.com), <https://nypost.com/2023/05/11/pope-francis-calls-sex-abusers-children-of-god/>.



breached its own terms in shadowbanning Mr. Richards proves it did not act “in good faith”.

146. In accordance with X’s self-contradictory policies about shadowbanning, X does concede either that it does not shadowban or that it will give notice to people whose accounts have been limited. Instead, they did not give notice, but shadowban Mr. Richards in secret. Thus they have broken their agreement with Mr. Richards no matter which contradictory promise you look at: Promise #1- the one that says it does not shadowban (which Discovery will prove to be false) or Promise #2- the one where Musk agrees he does shadowban but promises to give a right to appeal this (along with X’s own written terms, saying much the same).

**1c. lack of good faith**

147. Further, “good faith” is an absolute requirement to receive the protection from liability granted by 47 U.S.C. § 230(c). 230(c)(2)(A), provides, “No provider or user of an interactive computer service shall be held liable on account of -- any action voluntarily taken in *good faith* to restrict access to or availability of material that the provider or user considers to be ... harassing, or otherwise objectionable, whether or not such material is constitutionally protected.” (emphasis added)

148. Black's Law Dictionary, 8<sup>th</sup> edition defines "good faith" to mean: "honesty in belief or purpose, faithfulness to one's duty or obligation, observance of reasonable commercial standards of fair dealing in a given trade or business, or absence of intent to defraud or to seek unconscionable advantage."

149. With that definition for "good faith," it is clear that X has not acted in good faith in shadowbanning Mr. Richards' account. They've both lied about if they even do it, and in addition, Mr. Richards has never been told why he has been shadowbanned -- although Musk promised that X users would be told. This all demonstrates clear *bad faith*.

150. In addition, it is clear that the content of Mr. Richards' material is not objectionable. (See the attached summary of his information created by AI.<sup>76</sup>) Therefore whoever is the gatekeeper censoring Mr. Richards must have a bias against him, and because Mr. Richards' work is all so closely tied to his religious beliefs, the bias must necessarily be based upon Mr. Richards' religious beliefs. Therefore it represents religious discrimination, which is impermissible under Title II of the Civil Rights Act of 1964.

151. The only things Mr. Richards posts about on his X account are: 1) uplifting Bible messages, and 2) in the style of the old prophets of the Bible, exposing the horrible acts being committed in darkness by the Vatican and others. The

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<sup>76</sup> See attached AI about spirituallysmart.com.

Bible itself requires its adherents to do this: Ephesians 5:11”Have nothing to do with the fruitless deeds of darkness **but** rather **expose them**”. Therefore, his religion actually *requires* him to speak out against the evil works of the Vatican. Thus, censoring him for exposing evil deeds is clear discrimination based upon his religious beliefs.

152. Taken all together, it is impossible that X has censored Mr. Richards in good faith. On the contrary, they are not being “faithful[] to their duty”. They are violating it, because several laws forbid religious discrimination by a place of public accommodation, such as X (among those, are explained in this brief—Title II of the Civil rights act, the Virginia Human Rights Act).

## **2. Deleting posts from Mr. Richards’ archive**

153. A separate cause of action for which X breached its contract with Mr. Richards is that X has deleted/hidden 2100+ of Mr. Richards’ posts from *his own archive* in violation of their own terms of service. This is tantamount to theft. The theft can be proven because his account displays the total number of posts, but then when Mr. Richards downloaded the archive, there were 2100 fewer than stated (see attachments).<sup>77</sup> But the Twitter terms promise that

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<sup>77</sup> See attached – 2100 missing tweets, parts 1,2,3.

although “posts more than a week old may fail to display in timelines... **Old posts are never lost...**”<sup>78</sup>

154. In withholding Mr. Richards’ posts, X has stolen these posts in violation of their own terms.

155. Mr. Richards therefore requests injunctive relief requiring that the posts be restored.

### **CONCLUSION AND REQUEST FOR RELIEF**

WHEREFORE, Mr. Richards respectfully requests the Court to enter Judgment against X as follows:

A. A declaratory judgment that if 47 U.S.C. § 230(c)(2) is interpreted to allow the banning of free speech on Big Social Media and Big Internet platforms, that portion of the statute (or that reading of that statute) is unconstitutional.

B. A declaratory judgment that X’s policy of blocking or limiting posts based upon the content of the post violates the First Amendment of the Constitution.

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<sup>78</sup> <https://help.twitter.com/en/using-x/missing-posts#:~:text=posts%20more%20than%20a%20week,but%20cannot%20always%20be%20displayed.>

C. A declaratory judgment that X's policy of censoring, shadowbanning, altering posts, separating posts from their replies, or limiting Mr. Richards' posts in any way violates his Civil Rights and discriminates against him based upon his religious beliefs with respect to a public accommodation.

D. A permanent injunction requiring X to release to Mr. Richards all posts in their entirety (there are at least 2100) that it has withheld from his archive – so that he can download them, access them, and use them fully.

D. A permanent injunction barring X from censoring, shadowbanning, altering Mr. Richards' posts and links, separating posts from their replies, or limiting his X account or posts on X in any way.

E. A permanent injunction requiring X to provide Mr. Richards the same level of promotion that it gives any other X user who subscribes to the Premium or Premium+ service (including Jackson Hinkle, Alex Jones, etc.);

F. A preliminary injunction granting the relief specified above during the pendency of this action.

F. Compensatory damages in a sum determined by the Jury, but not less than \$50,000,000.00;

G. Punitive damages in an amount to be determined by the Jury, but not less than \$20,000,000;

H. Prejudgment interest at the rate of six percent (6%) per annum until paid;

I. Postjudgment interest at the rate of six percent (6%) per annum until paid;

J. Costs and other recoverable amounts as allowed by law;

K. Such other relief as is just and proper.

**TRIAL BY JURY IS DEMANDED**

DATED: June 4, 2024

Thomas Richards

By Counsel

Respectfully Submitted,

/s/ Lisa Weingarten Richards

Lisa Weingarten Richards, Esq.

VSB #96671

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*Counsel for plaintiff*